

902 KAR 10:040. Kentucky youth camps.

RELATES TO: KRS 211.180

STATUTORY AUTHORITY: KRS Chapter 13B, 194.050, 211.090(3), EO 96-862

NECESSITY, FUNCTION, AND CONFORMITY: KRS 211.180 authorizes the Cabinet for Health Services to regulate certain public health matters including the sanitation of public and semipublic recreational areas; the detection, prevention and control of communicable disease and health hazards; and to provide for the protection and improvement of the health of school age children. This administrative regulation establishes uniform standards for youth camps necessary to insure a safe and sanitary environment to protect the health and safety of children attending camps in this state. Executive Order 96-862, effective July 2, 1996, reorganizes the Cabinet for Human Resources and places the Department for Public Health and its programs under the Cabinet for Health Services.

Section 1. Definitions. As used in this administrative regulation the following definitions shall apply:

- (1) "Approved" means that which is acceptable to the cabinet.
- (2) "Cabinet" means the Cabinet for Health Services and its designated agents.
- (3) "Camp" or "youth camp" means any area, parcel, or tract of land, under the control of any person on which facilities are established, maintained or operated for recreational, educational, or vacation purposes for five (5) or more children, either free of charge, or for payment of a fee.
 - (a) This definition includes the following types of camps:
 1. "Day camp" means a camp operated for all or part of the day, but does not include overnight lodging of campers;
 2. "Primitive or outpost camp" means a portion of the residential camp premises or other site under control of the camp operator which is intended only for occasional use as an overnight tent camping site, and has no permanent structures or facilities; and
 3. "Residential camp" means a camp operated on a permanent campsite with overnight lodging facilities.
 - (b) This definition shall not include the following:
 1. Developed or primitive camps or campsites open to the general public on public lands, except that use of these sites or areas for operation of a youth camp shall be included in this definition;
 2. Camps, campsites, or camping sessions operated solely for family or adult camping;
 3. Privately owned camps or campsites intended for the sole use of the owner, their family and invited guests;
 4. Day care or similar facilities which are operated with the intent to provide child care on a routine basis for infant, toddler, preschool, or school age groups individually or collectively, during parents' working hours, before or after school or during school vacation periods;
 5. Weekend or similar overnight troop or trip camping activities conducted by organized youth troops or associations of less than seventy-two (72) hours duration, and not a part of an established youth camp operating session.
- (4) "Camper" means any child under eighteen (18) years of age living apart from, or with the intention of living apart from, his relatives, parents, or legal guardians, while attending a youth camp.
- (5) "Camp director" means the individual agent of the camp operator on the premises of any youth camp who has the primary responsibility for the administration, operation and supervision of the camp and its staff.
- (6) "Camp operator" means the person that owns, a youth camp, whether the camp is operated for profit or not for profit.
- (7) "Permanent structure" means any building and appurtenances owned or operated by the camp management for living, dining, kitchen, sleeping, toilet, bathing, shelter, tool shed, storage, as-

sembly, infirmary, or stabling purposes, constructed to be immobile and permanent.

(8) "Permit" means a written document issued by the cabinet giving a designated person permission to operate a specific camp.

(9) "Person" means any individual, firm, partnership, company, corporation, organization, trustee, association, or any public or private entity.

(10) "Semipermanent structure" means any building, tent, structure or trailer and appurtenances owned or operated by the camp management for sleeping, living, dining, toilet, bathing, kitchen, tool shed, storage, assembly, infirmary, or animal sheltering purposes, constructed to be movable, may be easily disassembled, and not permanent in nature.

Section 2. Permits. No person shall operate a youth camp within the Commonwealth of Kentucky without possession of a valid permit issued by the cabinet. Only a person who complies with the requirements of this administrative regulation shall be entitled to receive and retain a permit. Permits shall not be transferable from one person to another person or place. The permit shall be posted or readily available at every camp. Each permit shall expire on December 31 next following its date of issuance.

Section 3. Application for a Permit. (1) Any person desiring to operate a camp shall make written application on form DFS-233 - Application to Operate, provided by the cabinet. The application shall include:

(a) Applicant's full name and address and indicate whether the applicant is an individual, firm or corporation;

(b) If a partnership, the names of the partners, and their addresses;

(c) The location of the camp;

(d) The type of camp; and

(e) The signature of the applicant or applicants.

(2) Upon receipt of an application, the cabinet shall make an inspection of the camp to determine compliance with the provisions of this administrative regulation. If inspection discloses that the applicable requirements of this administrative regulation have been met, a permit shall be issued to the applicant by the cabinet.

Section 4. Camp Site. The camp site shall be located on land that provides good natural drainage. The area on which the tents, buildings, or structures are erected, together with other areas frequently used for camp activities, shall be well drained and not located in a swamp or similar place in which mosquitoes may breed.

Section 5. Camp Facilities. (1) All camp structures used for human occupancy or assembly, and all electrical, heating, ventilating, air conditioning, plumbing and lighting systems in those structures shall be designed and constructed pursuant to the State Building Code, except for tents, which shall meet federal flammability standards.

(2) All camp food preparation and service facilities shall comply with the provisions of KRS 219.011 to 219.081 and 219.991 and the State Food Service Code. If food for campers and staff is not prepared by the camp, food shall be obtained from a commercial food service establishment holding a valid permit from the cabinet.

(3) Floors, walls, ceilings, and attached or freestanding appurtenances, fixtures and equipment in all permanent and semipermanent structures shall be kept clean and in good repair.

(4) All gas or oil burning heating and cooking facilities used in any camp shall meet applicable state fire codes for installation, operation and maintenance.

Section 6. Sleeping Facilities. (1) A minimum of thirty (30) square feet of floor space shall be provided for each camper in all structures used for sleeping purposes.

(2) All structures used as sleeping quarters shall be designed to provide a minimum of two (2) feet separation between beds, cots, or sleeping bags on all sides. Beds, cots, or sleeping bags shall be placed so that the heads of campers are at least six (6) feet apart, and if double decked beds are used, there shall be not less than twenty-seven (27) inches of separation between the lower mattress and the bottom of the upper bed.

(3) Mattresses shall be covered in materials which are water repellent, easily cleanable and meet federal flammability standards, or shall be encased in a separate mattress cover which meets these requirements. Each occupied bed or cot shall be provided with one (1) sheet, one (1) pillow, one (1) pillowcase, and one (1) blanket either by the camp, or by the individual camper; except that this requirement shall not apply if a camper provides his own sleeping bag.

(4) All articles of bedding provided by the camp shall be kept clean and in good repair. Linen shall be changed at least once weekly and more often if necessary, or if there is a new camper occupying the bed or cot.

Section 7. Personal Hygiene Facilities. (1) Each residential or day camp shall provide personal hygiene facilities consisting of water closets, hand-washing and shower facilities for each sex accommodated, pursuant to the design, construction and sanitary fixture requirements of the State Plumbing Code.

(2) Personal hygiene facilities shall have natural and artificial lighting of at least twenty (20) foot-candles.

(3) Personal hygiene facilities shall be located no more than 500 feet from any permanent or semipermanent structure or tent used for human occupancy or assembly.

(4) Hot and cold or tempered water service shall be provided to all lavatories and showers, and approved temperature limited devices meeting State Plumbing Code requirements shall be used to prevent delivery of water at a temperature that could scald a camper; except that existing camps will not be required to furnish hot or tempered water at existing lavatories or showers.

(5) Lavatories or hand-washing facilities shall be conveniently located to all toilet facilities. Water, hand-cleansing soap, and approved sanitary towels or other approved hand-drying device shall be provided at all lavatories and hand-washing facilities.

(6) All personal hygiene facilities shall be maintained in good repair and shall be kept clean at all times.

(7) Adequate toilet tissue shall be provided at each toilet facility.

(8) Flame retardant, easily cleanable refuse containers shall be provided in all toilet facilities and shall be covered in toilets for females.

Section 8. Sewage and Waste Water Disposal. All sewage and waste water shall be disposed of into a public sewer system, if available. In the event a public sewer system is not available, disposal shall be made into a private sewage disposal system designed, constructed and operated pursuant to the requirements of the cabinet or the Natural Resources and Environmental Protection Cabinet; if a public sewer system subsequently becomes available, connections shall be made to it and the camp sewer system shall be discontinued.

Section 9. Water Supply System. (1) The water supply shall be potable, adequate and from an approved public supply of a municipality or water district, if available. If a public water supply of a municipality or water district is not available, the supply for the camp shall be developed and approved pursuant to applicable requirements of the Natural Resources and Environmental Protection Cabinet; if a public water supply of a municipality or water district subsequently becomes available,

connections shall be made to it and the camp supply shall be discontinued.

(2) Adequate drinking fountains meeting State Plumbing Code requirements or portable drinking water containers of an approved type shall be used within the camp. Common drinking cups, glasses or vessels are prohibited.

(3) If portable drinking water containers are used, they shall be of easily cleanable construction, kept securely closed and designed so that water may be withdrawn from the container only by water tap or faucet and shall be maintained in a sanitary condition.

(4) All ice used shall be from an approved source and shall be handled and stored in a manner to prevent contamination. If ice is made on the premises of any camp, the ice-making machine shall be of approved construction and the water shall be of the same bacteriological quality as approved drinking water.

Section 10. Refuse Handling. (1) The storage, collection and disposal of refuse shall be conducted to not create a health hazard, rodent harborage, insect breeding area, accident or fire hazard, or air pollution violation and shall conform to all other requirements of the Natural Resources and Environmental Protection Cabinet.

(2) All refuse shall be stored in flytight, watertight, rodent proof containers and containers shall be emptied and cleaned at a frequency necessary to prevent a nuisance.

(3) Approved container storage shall be provided and shall be designed and maintained to not create a nuisance.

(4) All refuse containing garbage shall be collected at least once per week or more often if deemed necessary.

Section 11. Maintenance of Animal Facilities. (1) Barns, stables, corrals or other structures used to house horses and other animals shall be located at least 500 feet from any sleeping, eating or food preparation area. Tie-rails, or hitching posts shall not be located within 200 feet of any dining hall, kitchen or other place where food is prepared, cooked or served.

(2) Barns, stables and corrals shall be located on a well- drained sloping area and situated to prevent contamination of any water supply.

(3) Manure shall be removed from barns, stalls, and corrals as often as necessary to prevent a fly problem. Fly repellents or other precautions shall be used to prevent these shelters from becoming an attractant for or breeding place for flies. Manure disposal shall be handled in a manner which does not create a nuisance or contaminate surface or groundwater.

Section 12. Swimming Facilities and Recreational Water Activities. (1) All swimming pools, beaches, and natural bathing places shall comply with 902 KAR 10:120, the Kentucky public swimming and bathing facility administrative regulation.

(2) All small craft and boating activities shall be conducted in compliance with applicable rules and administrative regulations of the Natural Resources and Environmental Protection Cabinet, Division of Water Patrol.

(3) All swimming and small craft and boating activities shall be under the supervision of a person holding a current American Red Cross Senior Life Saving Certificate or its equivalent at all times.

Section 13. Insect, Rodent and Pest Control. (1) Grounds, buildings, and structures shall be maintained free of insect and rodent harborage and infestations. Extermination methods and other measures to control insects and rodents shall be pursuant to applicable state laws and administrative regulations.

(2) Camps shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes or other pests.

(3) Storage areas shall be maintained to prevent rodent harborage. Lumber, pipe and other building materials shall be stored at least one (1) foot above the ground.

Section 14. Camp Director, Records and Reports, Medical Supervision and First Aid. (1) The camp operator shall assure that a camp director or an authorized agent is available within the camp boundaries at all times while the camp is in operation.

(2) Records or personal data, including a medical history, shall be kept on each person attending a camp. Minimum records shall include the name, date of birth, and address of each person in camp; the name, address and telephone number of parents or guardians; and the medical history, and dates of admission and discharge of each camper.

(3) Residential camps shall have facilities for isolation of persons suspected of having a communicable disease. Other camps shall provide for the immediate isolation of campers suspected of having a communicable disease.

(4) Adequate first aid supplies and equipment as designated by the physician on call shall be located within the camp. Residential camps shall have a person holding an American Red Cross Standard First Aid and Personal Safety Certificate or its equivalent on site twenty-four (24) hours a day while the camp is in session. All other camps shall have a person holding, as a minimum, a First Aid Course Certificate from the American Red Cross or its equivalent on site while camp is in session. The certificates shall be made available for examination upon request of an authorized agent of the cabinet.

(5) All prescription drugs shall be kept in a locked cabinet or container.

(6) A nearby physician or emergency room shall be available or on call for medical emergencies and the camp shall have access to a telephone, with emergency telephone numbers posted. Transportation shall be available at all times in the event of an emergency.

(7) All serious illnesses and accidents resulting in death or injury, other than minor injuries which require only first aid treatment and which do not involve medical treatment, shall be reported to the cabinet at the end of the camping season, but not later than December 31 of each year, on form DFS-309 - KY Youth Camp Accident/Illness Report provided by the cabinet.

Section 15. Safety and Accident Prevention. (1) All camps shall comply with applicable rules and administrative regulations of the State Fire Marshal and applicable local fire codes pertaining to fire safety, fuel supply and fuel connections.

(2) In every camp with an electrical system, the wiring, fixtures, and equipment shall be installed and maintained pursuant to applicable codes and administrative regulations.

(3) Protection; natural hazards.

(a) Natural hazards within the boundaries of the camp shall be plainly marked and measures and procedures approved by the cabinet shall be followed to insure the safety of the campers.

(b) Poison plants such as poison sumac and poison ivy shall be subject to control and elimination from areas where their presence is hazardous to campers.

(4) Elimination of artificial hazards.

(a) All buildings, grounds and equipment shall be maintained in a manner to eliminate or minimize the danger from holes, glass, splinters, sharp projections and other hazardous conditions to protect the safety of all persons residing in or using the facilities at the camp site.

(b) All insecticides, pesticides and chemical poisons shall be plainly labeled and stored in a safe place.

(c) Gasoline and other highly flammable fluids shall be plainly marked and stored in a locked container or building not occupied by residents of the camp and at a safe distance from sleeping quarters or buildings where people congregate.

Section 16. Plan Review for Future Construction. (1) Any person contemplating construction, alteration, addition to or change in the construction of any permanent camp shall, prior to the initiation of any such construction, submit plans in triplicate, through the local health department concerned, of any proposed camp, additions, alterations, or change in construction which shall show:

- (a) Name and address of owner or operator of camp;
 - (b) Area and dimension of the site;
 - (c) Property lines;
 - (d) A separate floor plan of all buildings and other improvements constructed or to be constructed including location and number of personal hygiene facilities, including water closets, urinals, showers, hand-washing facilities and including a plumbing riser diagram;
 - (e) Detail drawings of sewage disposal facilities including written specifications;
 - (f) Detail drawings of water supply if source is other than public; and
 - (g) The location and size of water and sewer lines within the camp.
- (2) If central food preparation and food service buildings are to be provided, plans and specifications shall be submitted showing the kitchen floor plan, layout and type of equipment, storage area, restrooms, and dining area pursuant to 902 KAR 45:005, the state food service code.
- (3) If artificially constructed swimming pools or beaches are contemplated, plans and specifications shall be submitted to the cabinet for review and approval prior to construction.

Section 17. Inspection of Camp. (1) Each camping season an inspection shall be made by the cabinet on each camp at least once prior to the opening of the camp and at least once while the camp is in actual operation. The cabinet shall make as many additional inspections and reinspections as are necessary for the enforcement of this administrative regulation.

(2) If an agent of the cabinet makes an inspection of a camp he shall record his findings on an official cabinet inspection report form DFS-308 - Youth Camp Inspection and provide the permit holder or operator with a copy. The inspection report shall:

- (a) Set forth any violation(s) if found;
- (b) Establish a specific and reasonable period of time for the correction of the violations(s) found; and
- (c) State that failure to comply with any notice issued pursuant to the provisions of this administrative regulation may result in suspension or revocation of the permit.

Section 18. Suspension of Permit. (1) If the cabinet has reason to believe that an imminent public health hazard exists, or if the permit holder has interfered with the authorized agents of the cabinet in the performance of their duties, the permit may be suspended immediately upon notice to the permit holder without a hearing on form DFS-212 - Request for Hearing. The permit holder may request a hearing which shall be granted as soon as practicable.

(2) In all other instances of violation of the provisions of this administrative regulation the cabinet shall serve upon the holder of the permit a written notice specifying the violation(s) in question and afford the holder a reasonable opportunity to correct them. If a permit holder or operator has failed to comply with any written notice issued under the provisions of this administrative regulation, the permit holder or operator shall be notified in writing that the permit shall be suspended at the end of five (5) days following service of the notice, unless a written request for a hearing is filed with the cabinet, by the permit holder, within the five (5) day period.

(3) All administrative hearings shall be conducted in accordance with 902 KAR 1:400.

Section 19. Reinstatement of Suspended Permits. Any person whose permit has been suspended may, at any time, make application for a reinspection on form DFS-215 - Application for Reinstatement of Suspended Permits for the purpose of reinstatement of the permit. Within five (5) days

following receipt of written request, including a statement signed by the applicant that in his opinion the conditions causing the suspension of the permit have been corrected, the cabinet shall make a reinspection. If the applicant is found to be in compliance with the requirements of this administrative regulation, the permit shall be reinstated.

Section 20. Revocation of Permits. For serious or repeated violations of any of the requirements of this administrative regulation or for interference with the agents of the cabinet in the performance of their duties, the permit may be permanently revoked after an opportunity for a hearing has been provided in accordance with 902 KAR 1:400. Prior to such action, the cabinet shall notify the permit holder in writing, stating the reasons for which the permit is subject to revocation and advising that the permit shall be permanently revoked at the end of ten (10) days following service of the notice, unless a request for a hearing is filed with the cabinet, in accordance with 902 KAR 1:400, by the permit holder, within the ten (10) day period.

Section 21. Existing Facilities and Equipment. Notwithstanding the other provisions of this administrative regulation, facilities and equipment being used by existing youth camps holding valid permits on the effective date of this administrative regulation, which do not fully meet the design and construction requirements of the administrative regulation, may be continued in use, if in good repair, capable of being maintained in a sanitary condition, and create no health or safety hazard. (San 7; 1 Ky.R. 642; Am. 1227; eff. 5-14-75; 5 Ky.R. 933; eff. 7-17-79; 17 Ky.R. 474; 1372; eff. 9-19-90; 22 Ky.R. 2369; eff. 8-1-96.)